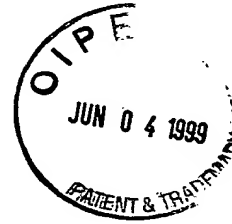


# 16 appd MK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of :  
Günter BAUR ET AL. : Group Art Unit: 2871  
Serial No.: 08/627,386 : Examiner: K. Parker  
Filed: April 4, 1996 :



For: ELECTROOPTICAL LIQUID CRYSTAL SWITCHING ELEMENT

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TECHNICAL SERVICES DIVISION

**TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

Merck Patent Gesellschaft Mit Beschränkter Haftung, Darmstadt, Germany, assignee of the entire right, title and interest in and to the above-identified application, U. S. Serial Number 08/627,386 of April 4, 1996, and U.S. Patents 5,576,867, 5,841,498 and 5,841,499, by virtue of assignment documents recorded on August 10, 1992 (Reel 6231, Frames 0965-0967) and on March 1, 1996 (Reel 7851; Frame 0523), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of prior Patent No. 5,576,867. The assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it, and U.S. Patent Nos. 5,576,867, 5,841,498 and 5,841,499, are commonly owned. This assignment runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

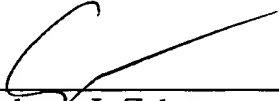
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 5,576,867, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally

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disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned is an attorney of record.

Respectfully submitted,

  
\_\_\_\_\_  
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**Filed: June 4, 1999**

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